IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Criminal Writ Petition No.73 of 2007

Skipper Beverages Pvt.Ltd. & anr. Petitioners
Vs.
M/s.Prince Multiplast Pvt.Ltd. & ors. Respondents

Mr.A.H.Ponda with Mr.S.J.Khera for petitioners.
Mr.S.V.Marwadi for Resp.no.1.
Mr.D.P.Adsule, APP for State.

CORAM: B.H.MARLAPALLE, J.

July 13, 2007.

P.C.

. Heard Mr.Ponda, the learned counsel for the petitioners with Mr.Khera and Mr.Marwadi, the learned counsel for the respondent no.1 - original complainant. Mr.Adsule, the learned APP appears for the State.

. This petition arises from the order passed by the Sessions Court thereby rejecting Misc. Application No.2131 of 2006 filed in the pending Revision Application on 15/12/2006.

. Having regards to the arguments advanced by both the parties and the reasons set out in the impugned order, I do not see any reason to entertain this petition under Article 227 of the Constitution

and hence the same is hereby rejected summarily.

. However, in the pending criminal revision application if the revision applicant brings on record the documents to show, prima facie, that the subject cheques viz. cheque no.551589 dated 23/9/1997 for an amount of Rs.2,44,900/-, cheque no.566653 dated 10/3/1998 for an amount of Rs.2,80,720/- and cheque no.614385 dated 8/7/1998 for an amount of Rs.5,03,130/- were encashed before the complaint was filed before the learned Magistrate, the said documents will have to be considered by the revisional Court for deciding the revision on merits subject, of course, to the complainant's right to argue on the said documents.

(B.H.MARL